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C O N F I D E N T I A L SECTION 01 OF 03 COLOMBO 001128

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STATE FOR SA/INS

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TAGS: [PGOV](#) [PTER](#) [CE](#) [LTTE](#)

SUBJECT: SRI LANKA: COALITION CRACKING, CHAUVINISTS  
LITIGATING OVER JOINT MECHANISM

REF: COLOMBO 1116

Classified By: DCM JAMES F. ENTWISTLE. REASON: 1.4 (B,D).

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SUMMARY  
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1. (C) Three days after the Government signed an agreement to coordinate tsunami aid with the Liberation Tigers of Tamil Eelam (LTTE), opposition to the Post-Tsunami Operational Management Structure (P-TOMS), also known as the "joint mechanism," among President Chandrika Kumaratunga's political allies is broadening. Following the departure of the Janatha Vimukthi Peramuna (JVP) from the United People's Freedom Alliance (UPFA) on June 16, smaller coalition members New Unity Alliance (NUA) and Mahajana Eksath Peramuna (MEP) are also contemplating quitting. On June 27 Muslim MPs from NUA and the Sri Lanka Muslim Congress (SLMC) staged a one-day general strike in Muslim areas of the eastern district of Ampara to protest the P-TOMS' perceived neglect of Muslim interests. Sinhalese nationalist parties, on the other hand, like the JVP and the Jathika Hela Urumaya (JHU), are preparing to challenge the P-TOMS in court. The JHU is also considering an impeachment motion against the President on the grounds of "mental infirmity" and treason, among others. While JVP/JHU opposition is no surprise, the rare consensus among Muslim parties against the agreement could undermine GSL efforts to depict the P-TOMS as primarily intended to help the tsunami-affected of all communities. End summary.

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UPFA COALITION:  
CRACKING AT THE SEAMS  
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2. (U) A mere three days after the Government signed the controversial Post-Tsunami Operational Management Structure (P-TOMS) agreement, also known as the "joint mechanism," with the Liberation Tigers of Tamil Eelam (LTTE) on June 24 (Reftel), opposition to the agreement, including among President Chandrika Kumaratunga's coalition partners, is growing increasingly vociferous. In addition to the Sinhalese nationalist Janatha Vimukthi Peramuna (JVP), which left the United People's Freedom Alliance (UPFA) on June 16 to protest the mechanism, two smaller members of the alliance are also contemplating quitting. Although the New Unity Alliance (NUA) and the Mahajana Eksath Peramuna (MEP) only command a meager four seats in the Parliament, the symbolic impact of their leaving--and the damage done to the UPFA's claims to represent a broad cross-section of Sri Lankan society--could be substantial. (NUA's constituents are largely Eastern Muslims; MEP's are Sinhalese Buddhists with a similar ideology to the JVP's.) Moreover, the parties' two leaders each head ministries crucial to tsunami reconstruction efforts (NUA's Ferial Ashraff is Minister of Housing, while MEP's Dinesh Gunawardena holds the Urban Development portfolio). MEP Leader Gunawardena told the press that the party will decide by the evening of June 27 whether to remain in the alliance.

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MUSLIMS: UNITED IN OPPOSITION?  
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3. (SBU) With its support base in the tsunami-ravaged districts of Ampara and Batticaloa, NUA's threatened defection could prove particularly damaging to the GSL's bid to portray the P-TOMS as an effort to ensure the equitable distribution to tsunami-affected populations of all ethnic communities. Both NUA and the SLMC have criticized the P-TOMS as neglecting Muslim interests, citing in particular the disproportionate representation given to the LTTE at the regional level (five LTTE to three Muslims and two GSL), even though Muslims comprise the community most heavily affected by the tsunami, and the location of the regional committee in Kilinochchi. Muslim leaders have also complained that they were not consulted during the drafting and negotiation of the text. On June 26 NUA Deputy Leader M.L.A.M. Hisbulla resigned from his post as Chairman of Port and Air Services, citing opposition to the P-TOMS, and challenged NUA Leader Ashraff to decide within 48 hours whether she would follow suit. Hisbulla, who heads the NUA District Committee in

Batticaloa, complained publicly that under the P-TOMS Muslim tsunami victims from Batticaloa would have to travel to LTTE

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headquarters in Kilinochchi to pursue relief requests. As of COB June 27, Ashraff had not announced her decision.

14. (SBU) On June 27 the Muslim Federation of Mosques in Ampara, called a one-day general strike, or "hartal," in the eastern coastal district to protest the P-TOMS, closing shops and shutting down public transportation in Muslim areas. (Note: Ampara town, which is predominantly Sinhalese, was unaffected by the strike. End note.) Muslim MPs from the SLMC and NUA traveled to Ampara to participate in the strike. According to police sources and local residents, roads leading to and within the Muslim coastal areas of Kalmunai and Akkaraipattu were barricaded with burning tires in the early morning, but security forces succeeded in clearing all obstructions by about noon. There were no reports of violence in the area as of COB June 27.

15. (C) In a June 27 meeting with poloff, Nimalan Karthikeyan, a pro-LTTE member of the National Peace Council, said that the Muslims' main grievance is that they had not been adequately consulted. Karthikeyan claimed that the LTTE had been particularly scrupulous in safeguarding Muslim interests during the P-TOMS drafting/negotiation process, insinuating that, were it not for the Tigers, the Muslims might have been left with no representation at all. (Comment: We are skeptical of the accuracy of this account.) Now that the deal is signed, Colombo politicians, rather than Muslims in the field, are raising the main objections, he asserted. The LTTE maintains excellent relations at the grassroots level with the Federation of Mosques in the east; Colombo politicians' jealousy of those ties may be partly behind their opposition to the joint mechanism now, he suggested. When poloff observed that the Federation of Mosques was now spearheading an anti-P-TOMS hartal, Karthikeyan again blamed Colombo politics and personal rivalries for impelling the protest.

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JVP: SLOGANEERING AND  
LITIGATING  
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16. (U) On June 26 JVP leaders held a press conference in Colombo to explain (again) the party's opposition to the agreement. JVP Leader Somawansa Amarasinghe demanded that the Government of Sri Lanka (GSL) table the document in Parliament (neglecting to mention, as reported reftel, that when the GSL attempted to do just that on June 24 his MPs' disruptive behavior caused the session to be adjourned). Amarasinghe stressed that JVP opposition to the P-TOMS would form the crux of any future election campaign--whether for Parliament or the presidency--and invited all "progressives" and "patriots" to join hands with the former Marxists in this endeavor. He added that the JVP planned to contest the legality of the P-TOMS in court. True to Amarasinghe's word, on June 27 JVP MP and former Deputy Minister of Small Industries Sunil Handunetti filed a fundamental rights case with the Supreme Court, alleging that the P-TOMS infringes upon his civil rights.

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JHU TO ACCUSE PRESIDENT OF  
TREASON, MENTAL INFIRMITY  
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17. (C) The JHU, meanwhile, is contemplating its own challenges to the P-TOMS. JHU Administrative Secretary Udaya Gammanapila told us on June 27 that the party plans to take legal action against River Basin Development Minister and Leader of the House Maithripala Sirisena (for trying to table the agreement in Parliament on June 24) and Rehabilitation Secretary M.S. Jayasinghe (for signing the agreement on

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behalf of the GSL). Gammanapila said the JHU will ask the Court to annul the civic rights of the pair on the grounds that they had promoted the separation of the country through their actions. (Note: Under the Sixth Amendment to the Constitution, "No person shall, directly or indirectly, in or outside Sri Lanka, support, espouse, promote, finance, encourage or advocate the establishment of a separate state within the territory of Sri Lanka." Anyone convicted of so doing is subject to asset forfeiture, forfeiture of public office, and the loss of his civic rights for up to seven years. Civic rights include the right to hold public office, vote, own property and hold a passport.) Constitutional lawyer Saliya Peiris, however, told us in a separate conversation that the JHU would be unable to follow through on this plan since Sixth Amendment cases can only be filed by the Attorney General. He speculated that the JHU would follow the JVP's lead in filing a fundamental rights case against the P-TOMS instead.

18. (C) Gammanapila also declared that the JHU plans to file an impeachment motion against President Kumaratunga on various grounds, including "mental infirmity," treason, violation of the Constitution and misappropriation of presidential powers. He said that the JHU has already submitted to a group of psychiatrists in the UK a collection of speeches made by the President on different occasions and asked the doctors to analyze her mental stability. In addition, he reported, members of the Buddhist clergy will urge the four chief prelates, or "Mahanayakes," to issue an edict calling all Buddhist monks and laity to converge on Kandy on July 1 for an anti-PTOMS protest.

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UNP SUPPORTS IN PRINCIPLE;  
NOTES CONCERNS  
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19. (U) On June 27 United National Party (UNP) Spokesman G.L. Peiris held a press conference to announce that the main opposition party supports in principle the establishment of the P-TOMS insofar as the agreement provides humanitarian aid to the tsunami-affected and operates within the parameters set out in the Oslo Communiqué and the Tokyo Declaration. That said, Peiris went on to note several perceived flaws in the agreement, citing in particular the lack of adequate representation for the Muslim community and the failure to stipulate clear provision for representation of the Sinhala community.

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COMMENT  
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10. (C) Part of the reason Muslim concerns are so often ignored in domestic political discourse is because the community itself is deeply divided--largely along the fault lines of the rival political ambitions of various leaders. Like the JVP, these splintered parties may now find a rallying cry--and a defining election platform--in opposition to the joint mechanism. While the JVP decision to quit the alliance over the P-TOMS may have been no surprise--and, in some ways, possibly a welcome relief for the embattled President--the threatened defection of NUA is another matter. The GSL has tried to sell the P-TOMS to the Sri Lankan public as a humanitarian agreement ensuring the equitable distribution of tsunami aid to all ethnic groups. A NUA walk-out over alleged neglect of Muslim interests would clearly undercut these efforts.  
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